

Members

Sen. Edward Charbonneau, Chair
Sen. Phil Boots
Sen. Randall Head
Sen. James Lewis
Sen. Richard Young
Sen. Robert Deig
Rep. David Cheatham, Vice-Chair
Rep. Steven Stemler
Rep. Joseph Pearson
Rep. William Friend
Rep. Jack Lutz
Rep. Richard Dodge



WATER RESOURCES STUDY COMMITTEE

Legislative Services Agency
200 West Washington Street, Suite 301
Indianapolis, Indiana 46204-2789
Tel: (317) 233-0696 Fax: (317) 232-2554

LSA Staff:

Bernadette Bartlett, Fiscal Analyst for the
Committee
Irma Reinumagi, Attorney for the Committee

Authority: IC 2-5-25

MEETING MINUTES¹

Meeting Date: October 7, 2009
Meeting Time: 10:00 a.m.
Meeting Place: State House, 200 W. Washington St.,
Room 130
Meeting City: Indianapolis, Indiana
Meeting Number: 2

Members Present: Sen. Edward Charbonneau, Chair; Sen. Phil Boots; Sen. Randall Head; Sen. James Lewis; Sen. Richard Young; Sen. Robert Deig; Rep. David Cheatham, Vice-Chair; Rep. Steven Stemler; Rep. William Friend; Rep. Jack Lutz; Rep. Richard Dodge.

Members Absent: Rep. Joseph Pearson.

Call to Order. Sen. Charbonneau, Chair of the Water Resources Study Committee (WRSC), called the meeting to order at 10:08 a.m.

Common Enemy Doctrine. After introductory remarks, the Chair called upon Daniel Cole, the R. Bruce Townsend Professor of Law, Indiana University School of Law - Indianapolis, to discuss the liability rules for diffused surface water in Indiana (Exhibit A).

Residential Irrigation Systems (HEA 1224-2009). Rep. Stemler discussed the reasons he introduced HEA 1224-2009 (Exhibit B), which established the Water Resources Task Force and assigned issues for the WRSC to study during the 2009 interim. He called upon Mike Leppert, Corydon Group, to introduce the speakers on the topic of residential irrigation systems and groundwater issues.

Michael White, Indiana Professional Lawn and Landscape Association, presented information concerning minimizing water waste in landscape water systems (Exhibit C). He believes

¹ Exhibits and other materials referenced in these minutes can be inspected and copied in the Legislative Information Center in Room 230 of the State House in Indianapolis, Indiana. Requests for copies may be mailed to the Legislative Information Center, Legislative Services Agency, 200 West Washington Street, Indianapolis, IN 46204-2789. A fee of \$0.15 per page and mailing costs will be charged for copies. These minutes are also available on the Internet at the General Assembly homepage. The URL address of the General Assembly homepage is <http://www.in.gov/legislative/>. No fee is charged for viewing, downloading, or printing minutes from the Internet.

moisture-sensing equipment should be used in sprinkler systems to minimize water waste, and would ask the state to require moisture-sensing technology be included in all new residential irrigation systems.

Water Well Drilling and the Preservation of Groundwater (HEA 1224-2009). Bruce Moss, Indiana Groundwater Association, presented information concerning water well drilling and the preservation of groundwater (Exhibit D). He explained that his association is interested in the preservation of aquifers and protecting public health, both of which can be negatively impacted by improperly installed or serviced wells and pumps. Currently, there is no requirement for continuing education for licensed well drillers; the Association would ask the legislature to require continuing education for licensed individuals, with proof of the continuing education required for license renewal. In addition, the group seeks uniformity among counties for permit requirements.

Kevin McCray, Executive Director, National Groundwater Association, presented information concerning continuing education for water well system professionals (Exhibit E). Thirty-four states currently require some form of continuing education for licensed well drillers and installers.

Logjam Removal. The Chair called upon Ron McAhrn, Deputy Director, Indiana Department of Natural Resources (DNR), who explained Indiana's permitting process for the removal of logjams, under which small logjams or those on bridges may be removed without a permit (Exhibits F and G). Larger projects require permits. After the 2008 floods, DNR adopted an emergency rule that limited the requirement of permitting to certain streams and rivers. There is some overlapping permit jurisdiction among DNR, the Indiana Department of Environmental Management, and the Army Corps of Engineers.

Rep. Bill Davis explained that logjams have caused problems for constituents in his district, for whom the overlapping jurisdictions and lack of money to remove logjams have created confusion. He introduced Troy Prescott, a Randolph County Commissioner, who explained the issues in his county with logjams. Tim Acton, a farmer in Randolph County, has had problems with logjams in the Mississinewa River for 30 years that have affected his ability to farm; these problems have now spread upstream.

Adjournment. The meeting was adjourned at 11:58 a.m. The Committee's final meeting will be held on October 20, at 1:30 p.m.